

MINUTES

CASE NUMBER: CR 03-00248DAE
CASE NAME: USA v. Samuel M. Kaauwai, III
ATTYS FOR PLA: Marshall H. Silverberg
ATTYS FOR DEFT: Pamela Tameshiro
USPO: Neil Tsukayama

JUDGE:	David Alan Ezra	REPORTER:	Cynthia Fazio
DATE:	05/30/2007	TIME:	8:30am-9:15am

COURT ACTION: EP: Sentencing to Count 1 of the Indictment as to Defendant Samuel M. Kaauwai, III.

Defendant Samuel M. Kaauwai, III present in custody.

The Memorandum Plea Agreement is accepted.

Presentence Report adopted. Sentencing recommendations heard. Allocution by Defendant Samuel M. Kaauwai, III.

SENTENCE:

Imprisonment: 84 MONTHS

Supervised Release: 3 YEARS

CONDITIONS:

1. Defendant shall abide by the standard conditions of supervision.
2. Defendant shall not commit any federal, state, or local crimes.
3. Defendant shall not possess illegal controlled substances.

4. Defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of commencement of supervision and at least two drug tests thereafter, but no more than 8 valid drug tests per month during the term of supervised release, as directed by the Probation Office.
5. Defendant shall cooperate in the collection of DNA as directed by the probation officer.
6. Defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
7. Defendant shall participate in an approved program for domestic violence.
8. Defendant shall participate in and comply with substance abuse treatment, which includes drug and alcohol testing in a program approved by the Probation Office. Defendant is to refrain from the possession and/or use of alcohol while participating in substance abuse treatment.
9. Defendant shall provide the Probation Office access to any requested financial information.
10. Defendant shall submit his person, residence, place of employment, or vehicle to a search conducted by the U.S. Probation Office at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of supervision. Failure to submit to a search may be grounds for revocation. The defendant shall warn any other resident that the premises may be subject to search pursuant to this condition.

Special Assessment: \$100.00.

JUDICIAL RECOMMENDATIONS: FCI Estill, SC. 500 hour drug treatment program.

Defendant advised of his right to appeal.

Government's Oral Motion to Dismiss All Remaining Counts - GRANTED.

Defendant remanded to the custody of U.S. Marshals.

Submitted by: Theresa Lam, Courtroom Manager